IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.27412 of 2008
ASHA DEVI
Versus
STATE OF BIHAR
---

2. 05.08.2008 Heard the counsel for the petitioner and the state.

Petitioner is sister-in-law (Gotani) of deceased, Shanti Devi who is alleged to have been killed by the husband and family members for non-fulfillment of demand of dowry. In the F.I.R. which has been instituted on the basis of written report, I find that there is specific allegation against Pradeep Choudhary, Gopal Choudhary, Krishana Choudhary, Binod Choudhary, Chhotu Choudhary and Harinarain Choudhary.

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Considering the fact, prayer for anticipatory bail on behalf of the petitioner, Asha Devi is allowed. In the event of her arrest or surrender within four weeks from today, she will be released on bail on furnishing bail bond of Rs 10,000/- (ten thousand) with two sureties of the like amount each in connection with Malasalami P.S. Case No. 60/08 to the satisfaction of ACJM, Patnacity, Patna subject to the conditions as laid down u/S 438(2) of the Cr.P.C.

Along with the bail application, a compromise petition has been annexed as Annexure-3 stating that the

informant has compromised the case. I do not understand where is the provision for entering into any compromise in relation to an offence u/S 304B of the IPC which is not a compoundable offence.

The District & Sessions Judge, Patna is directed to take requisite steps for instituting a criminal case against the informant for entering into such compromise and admitting that he filed a false case.

AKV/ **(Mridula Mishra,J.)**

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